

REMARKS

Claims 1-15 are presented for further examination. Claims 1-3, 5, 8, 10-12, and 15 have been amended. Claim 4 has been canceled. No new matter has been added.

In the Office Action dated November 3, 2008, the Examiner rejected claims 1-15 under 35 U.S.C. § 103(a) as unpatentable over Issacman et al. (U.S. Pat. 6,127,928) in further view of Streetman (U.S. Pat. Application 2004/0054570).

Claim Amendments

Claim 1 recites, *inter alia*, a passive electromagnetic transponder configured to store and reflect information regarding at least delivery cost and routing information in response to electromagnetic signals from a plurality of transceivers along a delivery route, the transceivers configured to process the information stored in the transponder to sort, route, or both sort and route the articles during the delivery thereof. In contrast, Issacman et al. describe an automatic tag system architecture to automatically identify the location of any tagged document in an office (see col. 6, lines 46-50). A plurality of RFID tags are attached to various documents within the office. A host transceiver sends commands to one or more desktop exciters that may be used to program or read the tags (see col. 8, lines 52-62). As stated by the Examiner, Issacman et al. do not disclose storing information regarding at least delivery cost and routing information. In addition, the transceivers in Issacman et al. are provided to scan an office environment and determine the location of a document. Nowhere do Issacman et al. teach or suggest transceivers along a delivery route processing information stored in the transponder to sort, route, or both sort and route the articles.

The Examiner relies on Streetman as describing a system and method for providing logistics planning that consolidates information for one or more shipment orders and generates a logistic plan for each shipment order. The logistics plan is generated after an order is made and before the order has shipped. The method of Streetman does not process any information about a shipment order during delivery. Nowhere does Streetman, taken alone or in any combination with Issacman et al., teach or suggest use of a transponder that attaches to an

article and communicates information about the article, such as routing information, with a transceiver along a delivery route.

Combining Issacman et al. and Streetman, as the Examiner suggests, results in a set of transceivers and RFID tags located in a contained environment. The RFID tags would contain information about the static location of an associated object in the contained environment, and they would contain the address to which the order is to be shipped. There is no information about the route of delivery. A logistics planning system would process the information read from the RFID tags by the transceivers to create at least one fixed logistic plan for the shipment order. There is no teaching or suggestion in Issacman et al., alone or in combination with Streetman, that describes the use of transceivers along a delivery route to read information from the tags in order to sort, route, or both sort and route an article during the delivery process. More particularly, neither reference recognizes a problem solved by the present claimed embodiments, *e.g.*, acquiring information about the ongoing status of the delivery of an article along its route and sorting and routing the article during delivery based on the acquired information. The combination of Issacman et al. and Streetman fail to control the routing and sorting of the article along the delivery route during delivery. Applicant respectfully submits that the combination of claim 1 is allowable over the combination of Issacman et al. and Streetman.

Claim 2 recites a device for use in delivering articles that includes a passive electromagnetic transponder integrally formed with a flexible label and configured to store information regarding routing of the host article to a desired delivery point and to reflect control signals in response to a received signal from at least one transceiver along a delivery route, the transceiver configured to process the information stored in the transponder to sort, route, or both sort and route the articles. As discussed above with respect to claim 1, no teaching or discussion in Issacman et al., taken alone or in any combination with Streetman, teaches or discloses storing and reflecting routing information in a transponder that responds to signals from a transceiver along a delivery route. Applicant respectfully submits claim 2 is allowable over Issacman et al. in view of Streetman for the features recited therein as well as for the reasons discussed above with respect to claim 1.

Claim 3 recites a system for use in routing a deliverable that includes a radio-frequency label adapted to be attached to the deliverable and configured to respond to electromagnetic signals from a plurality of transceivers along a delivery route to reflect control signals regarding the location of the deliverable for controlling routing of the deliverable, the plurality of transceivers configured to process the control signals. As discussed above with respect to claims 1 and 2, nowhere do Issacman et al. teach or disclose a label configured to respond to electromagnetic signals from transceivers along a delivery route. Applicant respectfully submits claim 3 is allowable over Issacman et al. in view of Streetman.

Claim 5 recites a system for routing a deliverable that includes a plurality of routing devices, at least one passive, flexible transponder label configured for attachment to the deliverable and configured to store routing information of the deliverable, and a plurality of transceivers along a delivery route associated with the routing devices for controlling the sorting and routing of the deliverable in response to electromagnetic signals reflected from the label, the signals representing the stored information. Applicant respectfully submits claim 5 is allowable for the features recited therein as well as for the features discussed above with respect to claims 1, 2, and 3.

Dependent claims 6 and 7 are allowable for the features recited therein as well as for the reasons discussed with respect to claim 5. More particularly, claims 6 and 7 recite a predetermined routing device and an encoding device, respectively. The Examiner relies on Streetman as disclosing routing engine data files 130 to be read by a routing engine 114. The routing engine takes available shipment data and derives a routing solution (para. [0026]). Streetman generates a logistic plan from the shipment data gathered from the shipment order database once an order is processed and does not interact with the deliverable while on a delivery route. No teaching or description in Streetman, taken alone or in any combination with Issacman et al., teaches or suggests a plurality of transceivers along a delivery route associated with a routing device for controlling the sorting and routing of a deliverable.

Claim 8 recites a system for routing and tracking remote assets that includes a plurality of transponders, each transponder associated with a respective asset, a plurality of transceivers along a delivery route configured to send signals to the transponder and to receive

control signals therefrom regarding delivery information of the associated assets, a routing device associated with the at least one transceiver to receive control and command signals via the transceiver and to sort and route the assets, and an encoder configured to transmit programming signals to the transponder.

In contrast, Issacman et al. describe local exciters that query passive RFID tags attached to documents in order to locate the tagged document in an office environment. No teaching or description in Issacman et al., taken alone or in any combination with Streetman, teaches or suggests a plurality of transceivers along a delivery route that are configured to receive signals regarding delivery information of the associated assets. Applicant respectfully submits claim 8 is allowable over Issacman et al. in view of Streetman for the features recited therein as well as for the reasons discussed above with respect to claim 1. Claims 10 and 11 have been amended to correct typographical errors. Dependent claims 9-11 are allowable for the features recited therein as well as for the reasons discussed above with respect to claim 8.

Claim 12 recites a method of routing and tracking deliverables that includes providing a plurality of flexible, passive, programmable electromagnetic transponders, each transponder associated with a respective deliverable and configured to store routing information, issuing signals from a transceiver coupled to a routing device along a delivery path, receiving at the transceiver a control signal from the transponder in response to the signals, and controlling the routing device to route the deliverable along the delivery path. Applicant respectfully submits claim 12 is allowable over Issacman et al. in view of Streetman for the features recited therein as well as for the reasons discussed above with respect to claim 1. Dependent claims 13-15 are allowable for the features recited therein as well as for the reasons discussed above with respect to claim 12.

In view of the foregoing, applicant respectfully submits that all of the claims remaining in this application are in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, applicant respectfully requests that the Examiner contact the undersigned by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully requested.

Application No. 10/712,983

Reply to Office Action dated November 3, 2008

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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